



State of Utah

Department of  
Environmental Quality

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DAQ-003-06

**MEMORANDUM**

**TO:** Air Quality Board

**THROUGH:** Rick Sprott, Executive Secretary

**FROM:** David E.B. Strohm II, Environmental Scientist

**DATE:** January 12, 2006

**SUBJECT:** Propose for Public Comment: Amend R307-204, Emission Standards: Smoke Management.

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**Background:**

DAQ cooperatively developed a Smoke Management plan (SMP) in 1999 to control the release and impact of particulate pollution associated with prescribed and controlled fires in the State of Utah. The SMP describes the operational procedures to follow when prescribed fires, wildland fires, or wildland fire use events (WFUs) take place on specific lands in Utah owned or managed by state and federal land management agencies. In addition, the SMP provides details on the responsibilities of the organizational structure that were developed to operate the SMP, including the Smoke Program Coordinator (SPC), Utah Airshed Group, and Utah Airshed Oversight Group. Although the SMP does not have any legal power in and of itself, the plan provides detailed operational procedures that are used by specific burning agencies throughout the state.

In order to provide the SMP with enforceability, state administrative rule R307-204, Emission Standards, Smoke Management, was promulgated in 2001 and specified the regulatory responsibilities of all persons using prescribed fire or wildland fire on land that they own or manage. Under R307-204, prescribed fires requiring a burn plan cannot be ignited and WFU cannot be managed before the executive secretary of the Air Quality Board (AQB) approves or conditionally approves the burn request. R307-204 does not apply to agricultural activities.

Since the development of the SMP in 1999 it has been reviewed and revised each year to meet the needs of both burners and State air quality regulators. These revisions have subtly changed the SMP over the course of the last few burning seasons. As a result, DAQ has reviewed R307-204 and proposes the following changes to the rule so it remains consistent with the SMP.

### **Summary of Changes:**

The changes that are proposed are divided into three main areas:

1. First is the addition of “pile burning” to the rule. This addition is meant to help burners deal with mechanically or hand stacked piles that are a result of their maintenance activities. The addition of “pile burning” will help clarify the procedures by which piles can be burned.
2. Second is a change in the manner that WFU events are reported to DAQ. Prior to this change, WFU events were allowed to grow to 20 acres before information had to be submitted to DAQ. It was determined by DAQ and the Smoke Program Coordinator that it would be more helpful to the Smoke Management Program to have information about all WFU events regardless of size. Therefore a change is proposed to require burners to report all WFU events to DAQ as soon as they become aware of the events.
3. Third is the addition of an allowance for conditional de minimis burning between National Weather Service Clearing Indexes of 400 and 500. This addition is meant to help ascertain whether the current de minimis clearing index cut off level of 500 is too high. Because little is known about the impacts of reducing the clearing index burning cut off to 400. DAQ has proposed an allowance for conditional burning down to a clearing index of 400 with the stipulation that information about the fire must be gathered in order to help inform a more permanent change in clearing index level at a later time.

Additional changes were also made to the rule to ensure consistency between the SMP and the rule. Examples of these changes are the addition or revision of definitions, the changing of certain formatting, and changes to clarify language.

Recommendation: Staff recommends that R307-204 be proposed for public comment. A copy of the proposal is attached.